

REMARKS

Claims 1, 119-122, 124-125, 127-129 and 131-134 are pending in the application. Support for the amendments to claims 1 and 132 can be found in the specification *inter alia*, Figs. 2, 3, 6, 7, and so forth which show interaction between the chemical and biological species that are still immobilized on the particles. No new matter has been added to the specification.

Rejection Under 35 USC § 102(b) Over Dower (US Patent 5,639,603)

Claims 1, 119-120, 125, 127-129 and 131-132 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Dower '603. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Dower '603 discloses a library of small molecules built on a solid support, wherein each step of the synthesis is tracked by building up a nucleic acid in parallel with the synthesis of the small molecule or polypeptide. In contrast, the presently claimed invention is directed to attaching a pre-made oligonucleotide identifier to a surface to which a peptide, protein or other potential binding partner is also attached. Therefore, Dower '603 fails to anticipate the presently claimed invention.

In addition, the Dower '603 appears to disclose a screening system to determine a chemical or peptide that binds to a particular target molecule. An example can be seen in claim 1, in which non-tagged polypeptides are mixed with cell receptor molecules to determine which of the non-tagged polypeptides would bind to the receptor. The identity of the binding polypeptide is determined by identifying its corresponding oligonucleotide sequence.

In contrast, the presently claimed invention allows the interaction between the chemical or biological species to take place while they are still bound to the solid surface along with their oligonucleotide identifier, which Dower '603 fails to disclose or suggest. Therefore, Dower '603 fails to anticipate the presently claimed invention.

**Rejection Under 35 U.S.C. §103(a) Over Dower (US Patent 5,639,603) In View Of
Bamdad (WO 98/31839)**

Claims 121-122 and 124 have been rejected under 35 U.S.C. §103(a) as being "obvious" over Dower '603 in view of Bamdad '839. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Dower '603 is discussed above.

Bamdad '839 discloses a technique for immobilizing biological molecules, such as nucleic acid molecules. However, Bamdad '839 fails to disclose or suggest a biological assay system in which the immobilized oligonucleotide identifier is separated from the surface in order to be identified.

Since Dower '603 fails to be relevant to the base claims 1 and 132, and Bamdad '839 fails to remedy the deficiency of the Dower '603 reference as discussed above, it is believed that the combination of the Dower '603 and Bamdad '839 also fails to result in the claimed invention as applied to claims 121-122 and 124. Accordingly, the presently claimed invention is patentable over the cited references.

Conclusion

It is believed that the application is now in condition for allowance. Applicants request the Examiner to issue a notice of Allowance in due course. The Examiner is encouraged to contact the undersigned to further the prosecution of the present invention.

The Commissioner is authorized to charge JHK Law's Deposit Account No. **502486** for any fees required under 37 CFR § 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

JHK Law

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